

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

GREAT LAKES INSURANCE SE,

Plaintiff,

v.

Case No. CIV-22-00702-JD

FREDY VALLE, doing business as
Valle Trucking; SILVER STAR
CONSTRUCTION COMPANY, INC.;
TYLON MACKEY; and ZURICH
AMERICAN INSURANCE
COMPANY,

Defendants,

ZURICH AMERICAN INSURANCE
COMPANY,

Counter Claimant,

v.

GREAT LAKES INSURANCE SE,

Counter Defendant,

ZURICH AMERICAN INSURANCE
COMPANY,

Third-Party Plaintiff,

v.

PROGRESSIVE NORTHERN
INSURANCE COMPANY,

Third-Party Defendant.

ORDER

Before the Court is Defendant/Third-Party Plaintiff Zurich American Insurance Company's Motion to Stay Proceedings Pending a Determination of Dispositive Motions in the Underlying Suit ("Motion"). [Doc. No. 107]. The Motion seeks a stay of these proceedings pending a ruling on the dispositive motions in the Payne County District Court suit styled as *Tylon Mackey v. Israel Juarez, ORD Trucking., Fredy N. Valle, Sr. d/b/a Valle Trucking, and Silver Star Construction Company, Inc.*, Case No. CJ-2020-233 (the "underlying suit"). Motion at 2. The Court confirmed that all parties do not oppose the Motion. *See* Minute Sheet [Doc. No. 109].

For the reasons stated in the Motion, the Court concludes that a temporary stay of these proceedings is appropriate. Specifically, the Court finds that the issues in this case overlap significantly with the issues in the underlying suit. Accordingly, the Court GRANTS the Motion to the extent described in this Order.

This case is TEMPORARILY STAYED until **June 14, 2024, at 11:59 p.m.**, which is forty-five days after the dispositive motions deadline in the underlying suit. The parties are ordered to file, on or before **June 12, 2024**, a joint report as to the status of the underlying suit. If the parties seek to extend the temporary stay, they should file a motion to extend the stay by **June 12, 2024**, demonstrating good cause and showing the progress in the underlying suit.¹ If the underlying suit is finally resolved before the stay expires,

¹ The Court is not willing to allow an indefinite stay based on the underlying suit, which was filed in 2020. Thus, the parties should advance the underlying suit and be prepared to update this Court if they seek a further stay based on progress and developments in the underlying suit.

the parties are directed to advise the Court immediately. IT IS FURTHER ORDERED that the deadlines in the Court's Scheduling Order [Doc. No. 56] are stayed and will be reset upon the stay being lifted.

IT IS SO ORDERED this 19th day of January 2024.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", written over a horizontal line.

JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE